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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,872	03/15/2004	William H. Meek	8285/672	4492

7590 03/21/2007
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EXAMINER

TIEU, BENNY QUOC

ART UNIT PAPER NUMBER

2614

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/21/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/801,872

Applicant(s)

MEEK ET AL.

Examiner

Benny Q. Tieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Prosecution Application

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on January 29, 2007 has been entered.

Response to Amendment

2. Applicant's amendment filed on January 29, 2007 has been entered. Claims 1, 5, 7, 11, 15, and 16 have been amended. Claims 2 and 3 have been canceled. No claims have been added. Claims 1, and 4-20 are still pending in this application, with claims 1, 5, and 15 being independent.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 7 and 11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not

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described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. the specification fails to support the step of completing the second NXX call includes sending a response message to the SCP. For examination purposes, it is assumed that this limitation is not included in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 1 and 4-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis et al. (U.S. Patent No. 5,537,464) in view of Andruska et al. (U.S. Patent No. 5,574,780).

Regarding claim 1, Lewis et al. teach a database for a telecommunication service comprising: a storage medium (Fig. 1A, 190); a first record for a first NXX number stored by the storage medium, the first record providing a directive that only calls having an automatic number identification associated therewith are acceptable for completion to the first number and a call to the first NXX number not having an associated automatic number identification is not to be completed (column 7, lines 51-58) wherein the first NXX number is converted to a network address by a processor of the telecommunication service before the directive is provided (Fig. 2A, 239; it is noted that phantom number reads on network address).

Lewis et al. fail to teach a Service Control Point (SCP) to convert the dialed number to a routable telephone number. However, Andruska et al. teach that SCP 34 provides the public routing number to IXC switch 28 so that the call can be routed to IXC switch 48 (column 11, lines 50-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of SCP as taught by Andruska et al. to replace the SMS disclosed by Lewis et al. to provide information to the IXC in order to better provide intelligent services to the subscribers.

Regarding claim 4, Lewis et al. further teach the database wherein the first NXX number is a 555 NXX number (column 7, lines 20-25).

Regarding claim 5, Lewis et al. teach a method of providing a telecommunication service comprising the steps of: receiving a query associated with a first NXX call to a first number not having an associated automatic number identification (Fig. 2A, 109); converting the first NXX call to a network address (Fig. 2A, 239); determining that the first NXX call accepts only calls

having an ANI associated therewith (column 7, lines 38-58); and inhibiting completion of the first NXX call to the first number because the first number does not receive calls that do not have an associated automatic number identification (Fig. 2B, 251).

Lewis et al. fail to teach a Service Control Point (SCP) to convert the dialed number to a routable telephone number. However, Andruska et al. teach that SCP 34 provides the public routing number to IXC switch 28 so that the call can be routed to IXC switch 48 (column 11, lines 50-65). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of SCP as taught by Andruska et al. to replace the SMS disclosed by Lewis et al. to provide information to the IXC in order to better provide intelligent services to the subscribers.

Regarding claim 6, Lewis et al. further teach the method comprising the steps of: receiving a query associated with a second NXX call to the first number, the second NXX call including an associated automatic number identification (Fig. 2A, 109); and completing the second NXX call to the first number (column 8, lines 1-5).

Regarding claim 7, Lewis et al. further teach the method wherein the step of completing the second NXX call includes sending a response message to a service switching point (Fig. 1A).

Regarding claim 8, the limitations of the claim are rejected for the same reasons as set forth in the rejection of claims 5 and 6 above.

Regarding claim 9, Lewis et al. further teach the method wherein at least one of the steps of inhibiting completion of the first NXX call and inhibiting completion of the third NXX call includes sending the call to a terminating announcement (Fig. 1A, 145).

Regarding claim 10, Lewis et al. further teach the method wherein the steps are ordered steps (Figs. 2A & 2B).

Regarding claim 11, Lewis et al. further teach the method wherein at least one of the steps of completing the second NXX call and completing the fourth NXX call includes sending a response message to a service switching point (Fig. 1A).

Regarding claim 13, Lewis et al. further teach the method wherein the first NXX call is a 555 NXX call (column 7, lines 20-25).

Regarding claim 14, Lewis et al. further teach the method wherein the step of inhibiting completion of the first NXX call includes sending the call to a terminating announcement (Fig. 1A, 145).

Regarding claims 15 and 17-20, the limitations of the claims are rejected for the same reasons as set forth in the rejection of claims 1-11, 13 and 14 above.

Regarding claims 12 and 16, Lewis et al. further teach that the call without ANI would be routed to an operator to obtain addition information and may be completed (Fig. 2B, 217-225).

Response to Arguments


8. Applicant's arguments with respect to claims 1 and 4-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benny Q. Tieu whose telephone number is 571-272-7490. The examiner can normally be reached on Monday-Friday: 6:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Benny Q. Tieu', with a stylized, cursive script.

Benny Q. Tieu
Primary Examiner
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